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Principal Deputy Assistant Attorney General

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3 Trial Attorney, Tax Division
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5 P.O. Box 683
6 Washington, D.C. 20044
7 202-353-1857 (v)
8 202-307-0054 (f)
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7 Of Counsel:
8 DAYLE ELIESON
9 United States Attorney
10 Counsel for the United States

11 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 KEITH W. WARNER, CARMELA
16 WARNER, MARC KOLODINSKY, PNC
17 BANK, EVERGREEN MONEYSOURCE
MORTGAGE COMPANY, and CLARK
COUNTY TREASURER,

18 Defendants.

Case No. 2:18-CV-01600-RFB-VCF

**STIPULATED DISCLAIMER OF
INTEREST AND NOTICE OF
DISMISSAL OF DEFENDANT
EVERGREEN MONEYSOURCE
MORTGAGE COMPANY**

19
20 IT IS HEREBY STIPULATED AND AGREED by Evergreen Moneysource Mortgage
21 Company and Plaintiff the United States of America (the "United States"):

22 1. The United States filed this action, *inter alia*, to reduce to judgment federal tax
23 assessments against Keith W. Warner and Carmela Warner and to foreclose federal tax liens

1 against certain real property. The parcels of real property at issue are described in the United
2 States' Complaint.

3 2. Evergreen Moneysource Mortgage Company was named as a defendant in this
4 matter solely to fulfil the requirement of 26 U.S.C. § 7403(b) that "all persons having liens upon
5 or claiming any interest in the property involved in such action [to enforce a tax lien] shall be
6 made parties thereto."

7 3. Evergreen Moneysource Mortgage Company hereby disclaims any interest in the
8 real property described in the United States' Complaint.

9 4. In light of their disclaimer, Evergreen Moneysource Mortgage Company has no
10 interest in the real property that is the subject of this lawsuit, and there is no further reason for
11 Evergreen Moneysource Mortgage Company to participate in this matter.

12 5. Accordingly, Evergreen Moneysource Mortgage Company should be, and hereby
13 is, dismissed from this proceeding without prejudice under Fed. R. Civ. 41(a)(1)(A)(i).
14


15 Respectfully Submitted,

16 Dated this 15th day of October, 2018.

17 RICHARD E. ZUCKERMAN
Principal Deputy Assistant Attorney General

18 /s/ Jonathan Hauck
19 JONATHAN M. HAUCK
Trial Attorney, Tax Division
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23

EVERGREEN MONEYSOURCE
MORTGAGE COMPANY


Teri Hermann
Chief Risk Officer
Evergreen Moneysource Mortgage
Company
15405 SE 37th Street, Suite 200
Bellevue, WA 98006
425-974-8504 (v)

IT IS SO ORDERED:

2 
RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 19th day of October, 2018.

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of October, 2018, I filed the foregoing documents on the Court's e-filing system, which will automatically serve CM/ECF participants, and caused the mailing of the documents by first-class mail, postage prepaid, to the following persons:

Keith W. Warner
6624 Johnny Love Lane
North Las Vegas, NV 89086

Carmela Warner
6624 Johnny Love Lane
North Las Vegas, NV 89086

Marc Kolodinsky
1793 Pine Bay Dr.
Lake Mary, FL 32746

Lisa V. Logsdon
Deputy District Attorney
500 South Grand Central Pkwy.
PO Box 552215
Las Vegas, NV 89155-2215

Attorney for the Clark County Treasurer

Hecker Wakefield & Feilberg, P.S.
Attention: Kelly Boyker
321 First Avenue West
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Attorneys for Evergreen Moneysource Mortgage Company

/s/ Jonathan Hauck
JONATHAN M. HAUCK
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